



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

ge

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,612	01/10/2002	Yoshiko Shiimori	0879-0367P	5086

2292 7590 04/12/2005

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/041,612

Applicant(s)

SHIIMORI ET AL.

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/29/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

~~(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.~~

Claims 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by IBM Systems Journal, vol 37 No 4, 1998 "WebEntree: A Web service aggregator".

As to claim 7, The journal "WebEntree" discloses an information service offering system (as shown in Fig.1) for realizing a service to offer information to a third party by means of a network the information service offering system comprising: at least one planned page opening server which enables each of a plurality of contents providers planning information offering services to exhibit, on the network, information selected as an object to be offered, and enables the planner to individually open a home page for accepting orders from users; a data storage device which stores digital data forming the information to be offered; a communication unit which accesses the home page through the network to enable reading of information, input of an order, and transmission of data relating to the input order; and a service execution device (service engine) which executes a service by operating associably with home pages opened by the plurality of contents providers to perform centralized management of orders accepted through the home pages, by converting the information designated by each order into a

predetermined form in accordance with the order such as to be receivable by the corresponding user, and by delivering the converted data to the user (See pages 586-587, 592).

As to claim 8, the Journal "WebEntree" discloses the information service offering system, wherein: information on an order accepted from a user on each home page is converted into order data in a common format (using Java Database Connectivity); and the order data in conformity with the common format is sent to the service execution device (See pages 586-587, 592).

As to claims 9, 13, the Journal "WebEntree" discloses the information service offering system wherein the cost of provision of information to a user for pay is determined by each contents provider according to the contents of the information; and the order data includes at least information for identification of the contents provider, information showing details of the order and information showing the cost (billing payment; see page 587, 592).

As to claim 10, the Journal "WebEntree" discloses the information service offering system, wherein the service execution device issues a bill for charging the user an amount of money in the name of the contents provider on the basis of the information for identification of the contents provider and the information showing the cost (See page 587).

As to claim 11, the Journal "Webentree" discloses an information release service assistance method which assists development of an information release service for releasing information to a third party through a network (See page 586), the method

Art Unit: 2144

comprising preparing on the network: a planned page provision server (See Fig.1) for providing a place where a home page (personalized home page) for exhibiting information to be offered on the network is opened by each of a plurality of contents providers planning information release services; a data storage server which stores digital data forming the information to be offered; and a portal site server for opening a portal site in which a link (hyperlink see page 587) to each of home pages opened by the contents providers is registered, wherein the method provides to each of the contents providers at least one of a service enabling use of the planned page provision server, a service enabling use of the data storage server, and a service enabling registration in the portal site on the basis of a contract (See pages 586-589).

As to claim 12, the Journal "Webentree" discloses the information release service assistance and discloses in Fig. 4 a Web surfing wherein an advertisement service can be executed to provide a place for advertisement to the contents provider under the contract for use of the planned page provision server.

Allowable Subject Matter

Claims 1-6 are allowed.

The prior art fails to disclose an information service offering system for realizing a service to receive information from contributors through a network and to offer the contributed information to a third party for pay, the information service offering system comprising communication units for the contributors, the communication units for the planners, the communication units for the service users and the information sharing server are communicably connected to each other through a network; an information

sharing server that comprises a service use instance totalization device which totalizes instances of use of the service registered on the information with respect to each planner and with respect to each contributor; and a profit return amount computation device which computes, on the basis of the results of totalization obtained by the service user instance totalization device, an amount of money to be returned to each planner and an amount of money to be returned to each contributor as portions of a profit made by setting the contributed information; each of the communication units for the planners includes a device which transmits, to the information sharing server, data for application of registration of each planned page and the corresponding planner information sharing server.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. 5,918,010 Appleman et al.

U.S. 5,870,737 Dockter et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone

Art Unit: 2144

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ



April 8, 2005



GERTRUDE A. JEANGLAUE
PRIMARY EXAMINER